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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPAICANTS:

James M. Gill et al.

APPINCATION NO.:

09/939,206

FILLING DATE:

August 24, 2001

TITLE:

FREIGHT RATE MANAGER

EXAMINER:

UNASSIGNED

GROUP ART UNIT:

2162

ATTY. DKT. NO.:

22725-05869

CERTIFICATE OF MAILING

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Dated: May

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Brian M. Hoffman, Reg. No. 39,713

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INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

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SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

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		,				
	before the mai	ling of a first official action after the filing of a request for				
	continued examination (RCE) under 37 CFR § 1.114;					
	after three mor	nths of the filing date of this national application or the date				
	of entry of the	national stage in an international application, or after the				
	mailing date of	f the first official action on the merits, whichever event last				
	occurred, but b	pefore the mailing date of the first to occur of either: (1) a				
	final action under 37 CFR §1.113; or (2) an action that otherwise closes					
	prosecution in	the application, and:				
	attached hereto is the fee set forth under 37 CFR §1.17(p) for					
	submi	ssion of this Information Disclosure Statement under 37				
	CFR.§	3 1.97(c); OR				
	☐ Applie	cant certifies pursuant to 37 CFR § 1.97(e) that:				
		each item of information contained in this Information				
		Disclosure Statement was first cited in a communication				
		from a foreign patent office in a counterpart foreign				
		application not more than three months prior to the filing of				
		this Statement; OR				
		no item of information contained in this Information				
		Disclosure Statement was cited in a communication from a				
	÷	foreign patent office in a counterpart foreign application				
		and, to the knowledge of the person signing this				
		certification after making reasonable inquiry, no item of				
		information contained in this Statement was known to any				
		individual designated under 37 CFR § 1.56(c) more than				
		three months prior to the filing of this Statement;				
	before the payment of the issue fee but after the mailing date of the first to					
	occur of eithe	r: (1) a final action under 37 CFR § 1.113; or (2) an action				
	that otherwise closes prosecution in the application, and:					
	☐ Applic	cant certifies pursuant to 37 CFR. § 1.97(e) that:				
		each item of information contained in this Information				
		Disclosure Statement was cited in a communication from a				
		foreign patent office in a counterpart foreign application not				
		more than three months prior to the filing of this Statement;				
	_	or				
		no item of information contained in this Information				
		Disclosure Statement was cited in a communication from a				

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		foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR.§ 1.97(c); OR							
		after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be							
		considered by the USPTO. This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. 09/573,583, filed on May 18, 2000, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).							
		Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d). Applicant submits that no fee is required for the consideration of this Information							
	Consid	Disclosure Statement.							
	Consid	ration of the listed references and favorable action are solicited. Respectfully submitted,							
		JAMES M. GILL et al.							
Dated:	<u>May</u>	Brian M. Hoffman, Reg. No. 39, N3_ Attorney for Applicants Fenwick & West LLP Two Palo Alto Square Palo Alto, CA 94306 Tel.: (415) 875-2484 Fax: (415) 281-1350							

MAY 2 1 2002 2

Sheet 1 of 1

FORM PTO-1449 (REV. 6-89) U.S. DEPAREMENT OF COMMERCE

-89) Patent and Trademark Office
INFORMATION DISCLOSURE CITATION

Attorney's Docket No. 22725-05869

Application No. 09/939,206

Applicant

James M. Gill et al.

(Use several sheets if necessary)

Filing Date
August 24, 2001

Group Art Unit 2162

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xaminer Initial		Document Number	Date	Name	Class	Subclass		g Date		
	A1	5,897,621	04/27/99	Boesch et al.	705	26	і і Аррі	орпасе		
	A2	5,878,139	03/02/99	Rosen	380	24				
	А3	5,787,402	07/28/98	Potter et al.	705	37				
	A4	5,774,553	06/30/98	Rosen	380	49				
	A5	5,758,328	05/26/98	Giovannoli	705	26				
	A6	5,745,886	04/28/98	Rosen	705	39		-		
	Α7	5,557,518	09/17/96	Rosen	364	408		-		
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EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.

PTO-1449 REV: 12/96

Include copy of this form with next communication to applicant.

PTO/SB/21 (modified) Approved for use through xx/xx/xx, OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE MAY 2 1 2002 001/PTO U.S. Department of Commerce Application Number 09/939.206 **R**ev. 10/95 Patent and Trademark Office TRADEMA August 24, 2001 Filing Date TRANSMITTAL FORM First Named Inventor James M. Gill et al. RECEIVED (to be used for all correspondence during pendency of Group Art Unit Number 2162 filed application) MAY 2 4 2002 **Examiner Name** UNASSIGNED Technology Center 2100 Attorney Docket Number Total Number of Pages in This Submission 22725-05869 **ENCLOSURES** (check all that apply) RECEIVED Fee Transmittal Form (in duplicate) Issue Fee Transmittal Check Enclosed Letter to Chief Draftsperson JAN 1 | 5 2003 Return Receipt Postcard Formal Drawing(s): Response to Notice to File Missing Parts [] Sheet(s) of Figure(s) [] Appeal Communication to Board of Appeals and logy Center 2100 Assignment & Recordation Cover Sheet Declaration Power of Attorney Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Application Data Sheet Information Disclosure Statement & PTO-1449 Certified Copy of Priority Document(s) Copies of IDS Cited References After Allowance Communication to Group Request for Corrected Filing Receipt Request for Correction of Recorded Assignment Amendment/Response: [] Page(s) After Final Status Request Revocation and Substitute Power of Attorney REMARKS: SIGNATURE OF ATTORNEY OR AGENT Signature: Brian M. Hoffman, Reg. No. 39,713 Attorney/Reg. No.: Dated: 2002 May CERTIFICATE OF MAILING I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Dated:

May

2002

Signature:

Typed or Printed Name:

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Brian M. Hoffman